

State Water Resources Control Board

February 22, 2019

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7018 0680 0000 1017 6533

Mr. Noah Wagner
Marina Supervisor
Spud Point Marina
P.O. Box 339
Bodega Bay, California 94923
noah.wagner@sonoma-county.org

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT SPUD POINT MARINA, 1818 WESTSHORE ROAD, BODEGA
BAY**

Dear Mr. Wagner:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on February 7, 2019, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Perform Overfill Prevention Equipment Inspection – The overfill prevention equipment inspection was due on October 13, 2018.	All	October 14, 2018	Ongoing	23 CCR 2637.2 (a)(1)
2	Failure to Provide Valid Board of Equalization (BOE) Number – The BOE number listed in CERS is incorrect and describes the wrong entity.	All	February 7, 2019	Ongoing	H&SC 25286(c)(9)
3	Failure to Maintain Plot Plan/Site Map – An approved plot plan/site map indicating the location of the product piping, tanks, and auxiliary equipment, with respect to buildings or other landmarks, was not available in CERS or onsite at the time of the inspection.	All	February 7, 2019	Ongoing	23 CCR 2711(a)(8)

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

No	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Monitor Product Piping – The sensor located inside transition sump two is unable to detect a leak at the earliest opportunity because the sensor was angled.	All	February 7, 2019	Ongoing	23 CCR 2630(d)
5	Failure to Maintain Facility and Tank Information – In CERS, on the permit application page, the financial responsibility mechanism lists “yes” for self-insurance; however, the certificate of financial responsibility onsite lists the UST clean-up fund. On the tank information page, under tank description, the tank manufacturer lists Enviro-tank; however, it should list Modern Welding and the date the UST system was installed should list October 1, 1986. Under tank construction, primary containment lists steel + internal lining; however, it should list steel only. Also, overfill protection lists audio/visual alarm only; however, a fill tube shut-off valve was observed. Under piping construction, the piping lists steel for both primary and secondary; however, flex piping was observed. Lastly, under corrosion protection, sacrificial anode lists “yes”; however, it should list “no” and isolation should list “yes”.	All	February 7, 2019	Ongoing	23 CCR 2711(a)
6	Failure to Maintain Monitoring Plan – In CERS, under pipe monitoring, mechanical line leak detector lists “no”; however, it should list “yes.” In addition, other pipeline monitoring lists “no”; however, it should list “yes” and indicate the sensors located in the three transition sumps.	All	February 7, 2019	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2711(a)(9)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and County of Sonoma Fire and Emergency Services Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Douglas McDevitt
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
douglas.mcdevitt@waterboards.ca.gov

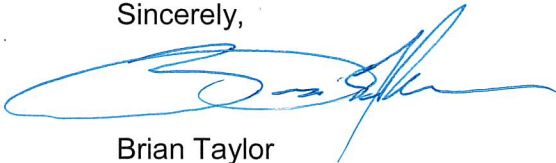
Local CUPA

Mr. Andrew Parsons
Assistant Fire Marshal and
Hazardous Materials Programs Manager
County of Sonoma Fire and Emergency
Services Department
2300 County Center Drive, Suite 220
Santa Rosa, California 95403
andrew.parsons@sonoma-county.org

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5891, or by email at matthew.buffleben@waterboards.ca.gov.

Sincerely,



Brian Taylor
Senior Water Resource Control Engineer (Supv.)
UST Enforcement Unit
Office of Enforcement

cc: *(via email only)*

Mr. Andrew Parsons
Assistant Fire Marshal and
Hazardous Materials Programs Manager
County of Sonoma Fire and Emergency
Services Department
andrew.parsons@sonoma-county.org

Mr. Marco Mack
Fire/Hazard Material Inspector II
County of Sonoma Fire and Emergency
Services Department
marco.mack@sonoma-county.org